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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,844	01/19/2007	Jerome Forissier	B-5946PCT 623418-6	6061
22879 7590 02/24/2009 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER BEYEN, ZEWDU A	
			ART UNIT 2419	PAPER NUMBER
			NOTIFICATION DATE 02/24/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/577,844	Applicant(s) FORISSIER ET AL.	
	Examiner ZEWDU BEYEN	Art Unit 2419	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 5, and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/08/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-14, have been examined and are pending.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application Serial No. 03292711.3, filed on 10/30/2003.

Information Disclosure Statement

2. An initialed and dated copy of applicant's IDS form 1449 submitted 03/08/2007, is attached to the instant office action.

Claim Objections

Claims 5 and 6 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim-. See MPEP § 608.01(n). Accordingly, claims 5 and 6 are not been further treated on the merits.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.

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1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-4 and 7-10 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-3, 6 and 12-15 of copending Application No. 10/557405.

Claim 1 of the instant application and claim 1 of copending application 10/557405 are substantially directed to the same subject matter; claim 1 of the instant application states that identifier determination and routing process are done at the load-balancer, but Claim 1 of copending application does not specify in what device the procedure are get execute . However, it would have been obvious to one ordinary skill in the art at the time the invention was made to add this feature to the invention defined by claim 1 of the instant application for the purpose of design choice.

Dependent claim 2 of instant application and dependent claim 2 of the copending application 10/557405 are substantially directed to the same subject matter.

Dependent claim 3 of instant application and dependent claim 3 of the copending application 10/557405 are substantially directed to the same subject matter.

Dependent claim 4 of instant application and dependent claim 6 of the copending application 10/557405 are substantially directed to the same subject matter.

Claim 7 of the instant application and claim 12 of copending application 10/557405 are substantially directed to the same subject matter; claim 7 of the instant application states that identifier determination and routing process are done at the load-balancer, but Claim 12 of copending application does not specify in what device the procedure are get execute . However, it would have been obvious to one ordinary skill in the art at the time the invention was made to add this feature to the invention defined by claim 1 of the instant application for the purpose of design choice.

Dependent claim 8 of instant application and dependent claim 13 of the copending application 10/557405 are substantially directed to the same subject matter.

Dependent claim 9 of instant application and dependent claim 14 of the copending application 10/557405 are substantially directed to the same subject matter.

Dependent claim 10 of instant application and dependent claim 15 of the copending application 10/557405 are substantially directed to the same subject matter.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Comparison Table

Claim No	Instant application	Claim No	Pending Application No.10/557405 Publication No. 20070058533
1	a method of routing a message, conveyed in stream through a point-to-point connection to a load-balancing element, to one of a plurality of available processing systems each connected to the load-balancing element by separate point-to-point connections, comprising at the load-balancing element: extracting the message from the stream; detecting in the extracted message the presence of an identifier identifying one of the available processing systems; and where the presence of the identifier is detected, forwarding the message to the processing system identified thereby via the appropriate connection; otherwise determining a destination processing system for processing the message; inserting into the message an identifier identifying the determined destination processing system; and forwarding the message to the processing system via the appropriate	1	A method of routing a message to one of a plurality of available processing systems, comprising the steps of: detecting the presence of a destination identifier in the message; and where the presence of the destination identifier is detected, forwarding the message to the processing system identified thereby; and where the presence of the destination field is not detected: determining a destination processing system for processing the message; inserting into the message a destination identifier identifying the determined destination processing system; and forwarding the message to the

	connection		determined processing system
2	a method according to claim 1, wherein each message further includes a message identifier for identifying related messages, the method further comprising maintaining a database of message identifiers for which no destination identifiers was detected along with information indicating to which of the available processing systems each message was forwarded to.	2	A method according to claim 1, wherein each message further includes a message identifier for identifying related messages, the method further comprising maintaining a database of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems each message was forwarded to.
3	a method according to claim 2, further comprising, where a message is received	3	The method according to claim 2, further comprising, where a message is received without a destination identifier,

	without a destination identifier, searching the database for a related message identifier and, where found, forwarding the message to the processing system identified therein.		searching the database for a related message identifier and, where found, forwarding the message to the processing system identified therein.
4	a method according to any previous claim, further comprising removing entries in the database after a predetermined amount of time.	6	The method according to claim 1, further comprising removing entries in the database after a predetermined amount of time.
7	a load-balancing element for routing a message conveyed in a stream through a point-to-point connection to one of a plurality of available processing systems each connected to the load-balancing element by	12	A load-balancing system for routing a message to one of a plurality of available processing systems, comprising: a message analyzer for detecting the presence of a destination identifier in the received message; and a message forwarder for forwarding the message to the processing system identified by the

	separate point-to-point connections, comprising at the load-balancing element: a message processor for extracting the message from the stream; a message analyzer for detecting in the received message the presence of an identifier identifying one of the available processing systems; and a message forwarder for forwarding the message to the processing system identified thereby via the appropriate connection		detected identifier.
8	a load-balancing element according to claim 7, further comprising, for when the presence of a destination identifier is not detected, a	13	A load-balancing system according to claim 12, further comprising, for when the presence of a destination identifier is not detected, a load analyzer for determining a destination processing

	load analyzer for determining a destination processing system for processing the message; and a message processor for inserting into the message a destination identifier identifying the determined destination processing system		system for processing the message; and a message processor for inserting into the message a destination identifier identifying the determined destination processing system.
9	a load-balancing element according to claim 7, wherein each message further includes a message identifier for identifying related messages, and further comprising a database for storing details of message identifiers for which no destination identifier was detected along	14	A load-balancing system according to claim 12, wherein each message further includes a message identifier for identifying related messages, and further comprising a database for storing details of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems each message was forwarded to.

	with information indicating to which of the available processing systems each message was forwarded to		
10	a load-balancing element according to claim 7, further comprising, where a message is received without a destination identifier, means for searching the database for a related message identifier and for identifying to which processing system the message should be forwarded.	15	A load-balancing system according to claim 14, further comprising, where a message is received without a destination identifier, means for searching the database for a related message identifier and for identifying to which processing system the message should be forwarded.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 3, and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Knauerhase et al. (**U.S. Patent No. 6,345,303 B1**), hereinafter referred as Knauerhase.

Regarding claim 1, Knauerhase teaches a method of routing a message to one of a plurality of available processing systems(see **col. 7 lines 27-33**), extracting the message from the stream (**col. 7 lines 21-22 discloses receiving request from client device**) ; detecting the presence of a destination identifier in the message (**fig.5 and col. 8 lines 49-53 disclose that if an indicator is present then the message will not be acted upon**); and where the presence of the destination identifier is detected, forwarding the message to the processing system identified thereby (**col. 8 lines 6-16 discloses that a message that does not need to be reformatted because of some configuration between a proxy and a destination**); and where the presence of the destination field is not detected (**col. 8 lines 49-53 discloses that if an indicator is not present, the message will be acted upon prior to transmission**): determining a destination processing system for processing the message (**col. 7 lines 27-33 discloses the selection of a destination**) ; inserting into the message a destination identifier identifying the determined destination processing system (**col. 7 lines 61-67 and col. 8 lines 1-5 disclose inserting a destination into a header**); and forwarding

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the message to the determined processing system (**fig.5 and col. 8 lines 1-5 disclose transmitting a message to a destination that has been inserted into the message**).

Regarding claim 2, Knauerhase, discloses wherein each message further includes a (**col. 8 lines 35-37 teaches an indicator that a message has been operated on by an network element**) message identifier for identifying related messages, the method further comprising maintaining a database of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems each message was forwarded to (**col. 7, lines 39-46 discloses a database that contains information in a look-up table for the destination selection module to select a destination**).

Regarding claim 3, Knauerhase teaches where a message is received without a destination identifier, searching the database for a related message identifier and, (**col. 8 lines 49-53 discloses a field will be checked to see if an identifier exists**) where found, forwarding the message to the processing system identified therein (**col. 7 lines 61-67 and col. 8 lines 1-5 discloses where a new identifier is selected and the message is forwarded to its destination**).

Regarding claim 7, Knauerhase teaches a method of routing a message to one of a plurality of available processing systems(**see col. 7 lines 27-33**), a message processor for extracting the message from the stream (**col. 7 lines 21-22 discloses receiving**

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request from client device) ; a message analyzer (**i.e. parser, col. 7 line 16**) for detecting the presence of a destination identifier in the message (**fig.5 and col. 8 lines 49-53 disclose that if an indicator is present then the message will not be acted upon**), a message forwarder (**i.e. network proxy, col. 7 lines 5-8**) for forwarding the message to the processing system identified thereby via the appropriate connection (**fig.5 and col. 8 lines 1-5 disclose transmitting a message to a destination that has been inserted into the message**).

Regarding claim 8, Knauerhase teaches routing a message to one of a plurality of available processing systems according to claim 7, further comprising, for when the presence of a destination identifier is not detected, a load analyzer (**i.e. destination selection module, col. 7 lines 27-33**) for determining a destination processing system for processing the message(**col. 8 lines 49-53 discloses that if an indicator is not present, the message will be acted upon prior to transmission**); and a message processor (**i.e. transcoder, col. 3 lines 52-55**) for inserting into the message a destination identifier identifying the determined destination processing system(**col. 7 lines 61-67 and col. 8 lines 1-5 disclose inserting a destination into a header**).

Regarding claim 9, Knauerhase teaches routing a message to one of a plurality of available processing systems according to claim 7, wherein each message further includes a message identifier for identifying related messages(**col. 8 lines 35-37 teaches an indicator that a message has been operated on by a network element**), and further comprising a database for storing details of message identifiers

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for which no destination identifier was detected along with information indicating to which of the available processing systems each message was forwarded to **(col. 7 lines 39-46 discloses a database that contains information in a look-up table for the destination selection module to select a destination).**

Regarding claim 10, Knauerhase teaches routing a message to one of a plurality of available processing systems according to claim 7, further comprising, where a message is received without a destination identifier**(col. 8 lines 49-53 discloses a field will be checked to see if an identifier exists)**, means for searching the database for a related message identifier and for identifying to which processing system the message should be forwarded**(col. 7 lines 61-67 and col. 8 lines 1-5 discloses where a new identifier is selected and the message is forwarded to its destination).**

5. Claims 7, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Masters to **(US6473802)** hereinafter referred as Masters.

Regarding claim 7, Masters teaches a message processor for extracting the message from the stream **(col.4, lines 40-41 discloses receiving HTTP request)**

a message analyzer for detecting in the received message the presence of an identifier identifying one of the available processing systems**(col.2 lines 33-37, discloses examining an HTTP request to determine whether the destination access identifier present or not);**

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a message forwarder for forwarding the message to the processing system identified thereby via the appropriate connection(**col.2 lines 37-41, discloses if the destination access identifier presents send the HTTP request for the indicated destination**).

Regarding claim 9, Masters teaches each message further includes a message identifier(**i.e. client's ip address**) for identifying related messages, and further comprising a database for storing details of message identifiers for which no destination identifier was detected along with information indicating to which of the available processing systems each message was forwarded to (**col.1 lines 24-38 discloses a look up table for storing relationship mapping between a client's ip address and the ip address of the actual server that provided access to the resources**).

Regarding claim 10, Masters teaches when a message is received without a destination identifier, means for searching the database for a related message identifier and for identifying to which processing system the message should be forwarded(**col.1 lines 24-38 discloses the server array controller (i.e. load-balancer) would employ a load balancing technique to select and map the ip address of one of the managed node servers to the client's actual ip address and store this mapped relationship in the table. Then, when a client repeated a request the controller would use the mapping stored in the table to connect the client to the previously selected (load balanced) node server**)

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-3, and 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Masters to (**US6473802**) in view of Luther et al. to (**US-PGPUB-20030023877**).

Regarding claim 1, Masters teaches extracting the message from the stream (i.e. receiving HTTP request) (col.4, lines 40-41);

detecting in the extracted message the presence of an identifier identifying one of the available processing systems(col.2 lines 33-37, discloses examining an HTTP request to determine whether the destination access identifier present or not);

if the presence of the identifier is detected, forwarding the message to the processing system identified thereby via the appropriate connection(col.2 lines 37-41, discloses if

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the destination access identifier presents send the HTTP request for the indicated destination).

Masters does not teach if the destination identifier is not present in the message, determining a destination processing system and inserting the identification into the message then forwarding the message to the determined processing system

However, Luther teaches determining a destination processing system for processing the message ([0035] and FIG. 5B disclose receiving message with no identification of the destination server in the message, and using Hash function determining a destination processing server)

inserting into the message an identifier identifying the determined destination processing system([0035] discloses “CC Server ID” value which will be selected using the hash function then associated it with the received message value that is present on the message header)

forwarding the message to the processing system via the appropriate connection ([0035] and FIG.5B disclose forwarding the message after selecting the proper server).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Masters to forward messages that have no destination server's or processing system's identification included in their header, as suggested by Luther. This modification would benefit the system of Masters to transmit

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or send received message or data by relating the same network transaction to a proper processing destination (**Luther,[0033], and [0035]**).

Regarding claim 2, Masters teaches each message further includes a message identifier for identifying related messages(i.e. **client's ip address**) , the method further comprising maintaining a database of message identifiers for which no destination identifiers was detected along with information indicating to which of the available processing systems each message was forwarded to (**col.1 lines 24-38 discloses a look up table for storing a relationship mapping between a client's ip address and the ip address of the actual server that provided access to the resources**)

Regarding 3, Masters teaches when a message is received without a destination identifier, searching the database for a related message identifier and, where found, forwarding the message to the processing system identified therein (**col.1 lines 24-38 discloses the server array controller (i.e. load-balancer) would employ a load balancing technique to select and map the ip address of one of the managed node servers to the client's actual ip address and store this mapped relationship in the table. Then, when a client repeated a request the controller would use the mapping stored in the table to connect the client to the previously selected (load balanced) node server**)

Regarding 4, Masters teaches removing entries in the database after a predetermined amount of time (**col.1 lines 24-38 discloses storing a mapping relationship between**

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address of node servers and the client's actual ip address with a time stamp in the table, thus once the time expired the relationship will be removed from the table)

Regarding claim 8, Masters does not teach when the presence of a destination identifier is not detected, a load analyzer for determining a destination processing system for processing the message; and a message processor for inserting into the message a destination identifier identifying the determined destination processing system.

However, Luther teaches a load analyzer for determining a destination processing system for processing the message for the message with no destination identifier ([0035] and FIG. 5B disclose receiving message with no identification of the destination server in the message, and using Hash function determining a destination processing server)

a message processor inserting into the message an identifier identifying the determined destination processing system([0035] discloses "CC Server ID" value which will be selected using the hash function then associated it with the received message value that is present on the message's header)

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Masters to forward messages that have no destination server's or processing system's identification included in their header, as suggested by Luther. This modification would benefit the system of Masters to transmit

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or send received message or data by relating the same network transaction to a proper processing destination (**Luther, [0033], and [0035]**).

7. Claims 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masters to (**US6473802**) in view of Olson et al. to (**US-PGPUB-2004/0205192**).

Regarding claim 11, Masters does not teach a transport control protocol (TCP) connection, and the received message is a session initiation protocol (SIP) message.

However, Olson teaches a transport control protocol (TCP) connection (**see, [0029], line 21**), and the received message is a session initiation protocol (SIP) message (**see, [0019]**).

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to include a transport control protocol (TCP) connection, and the received message is a session initiation protocol (SIP) message in the system of Masters, as suggested by Olson. This modification would benefit the system of Masters to acquire a method and a system that uses SIP protocol to enable call setup initiation, routing, authentication and other feature messages to endpoints within an IP.

Regarding claim 13, Masters does not teach a session initiation protocol (SIP) network comprising elements according to claim 7.

However, Olson teaches a load-balancing method and system that are implemented in a session initiation protocol (SIP) network (see, fig. 2, and [0027] - [0030])

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to implement a session initiation protocol (SIP) network in the system of Masters, as suggested by Olson. This modification would benefit the system of Masters to acquire a method and a system that use SIP protocol to enable call setup initiation, routing, authentication and other feature messages to endpoints within an IP.

8. Claim 12, is rejected under 35 U.S.C. 103(a) as being unpatentable over Masters to (US6473802) in view of Gilleland to (US-PGPUB-2002/0073203).

Regarding claim 12, Masters does not teach the message processor is adapted for inserting the destination identifier into an extension header of a SIP message.

However, Gilleland teaches inserting the destination identifier into an extension header of a SIP message ([0033] discloses SIP server adding the calling party information to a SIP request message)

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to enable the system of Masters inserting the destination identifier into an extension header of a SIP message, as suggested by Gilleland. This modification would benefit the system of Masters to reliably and effectively communicate the message with the endpoint or destination that the message is intended to.

9. Claim 14, is rejected under 35 U.S.C. 103(a) as being unpatentable over Masters in view of Luther as applied in claim 1 above and further in view of Olson et al. to **(US-PGPUB-2004/0205192)**.

Regarding claim 14, Master and Luther do not teach a session initiation protocol (SIP) network operating in accordance with the method of claim 1

However, Olson teaches a load-balancing method and system that are implemented in a session initiation protocol (SIP) network **(see, fig. 2, and [0027] - [0030])**.

Therefore it would have been obvious to one ordinary skill in the art at the time the invention was made to implement a session initiation protocol (SIP) network in the system of Masters and Luther, as suggested by Olson. This modification would benefit

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the system of Masters and Luther to acquire a method and a system that uses SIP protocol to enable call setup initiation, routing, authentication and other feature messages to endpoints within an IP.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZEWDU BEYEN whose telephone number is (571)270-7157. The examiner can normally be reached on Monday thru Friday, 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 1-571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Z. B./

Examiner, Art Unit 2419

/Hassan Kizou/

Supervisory Patent Examiner, Art Unit 2419